

PROCEEDINGS OF THE BROWN COUNTY
PUBLIC SAFETY COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Brown County Public Safety Committee** was held on Wednesday, January 7, 2015 at the Brown County Sheriff's Office, 2684 Development Drive, Green Bay, WI.

Present: Chair Buckley, Supervisor Clancy, Supervisor La Violette, Supervisor Zima
Excused: Supervisor Nicholson
Also Present: Don Hein, John Gossage, Cullen Peltier, Todd Delain, Dave Lasee, John Vander Leest, Neil Basten, Chad Weininger, Jeff Jansen

I. Call meeting to order.

The meeting was called to order by Chair Patrick Buckley at 11:00 a.m.

II. Approve/Modify Agenda.

Motion made by Supervisor Clancy, seconded by Supervisor La Violette to approve agenda. Vote taken. MOTION CARRIED UNANIMOUSLY

III. Approve/Modify Minutes of December 3, 2014.

Motion made by Supervisor La Violette, seconded by Supervisor Clancy to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Comments from the Public. None.

1. Review minutes of:

- a. Fire Investigation Task Force Board of Directors (September 18, 2014).**

Motion made by Supervisor Clancy, seconded by Supervisor La Violette to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

- b. Local Emergency Planning Committee – LEPC (November 11, 2014).**

Motion made by Supervisor La Violette, seconded by Supervisor Clancy to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Public Safety Communications

2. Budget Adjustment Request (14-104): Any increase in expenses with offsetting increase in revenue.

Public Safety Communication's UPS unit at the UW Green Bay Cofrin Library site has been damaged beyond repair due to an electrical incident and requires replacement. This budget adjustment is for the purchase or replacement equipment and the insurance proceeds to cover the replacement. The insurance deductible is to be funded by the Casualty Insurance Fund.

Motion made by Supervisor La Violette, seconded by Supervisor Clancy to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

3. Director's Report.

Public Safety Communications Director Cullen Peltier indicated that his department is currently down one position. They intend to keep the position open until there is another open position so they can

train two people at the same time. Peltier continued that they are doing very good at scheduling training for the next year so they are not burning out trainers and having other problems. They have also recently hired a departmental assistant who will be starting on January 6, 2015. Peltier noted that they are trending very well and had about \$140,000 of savings compared to last year. With regard to the CAD and phone RFPs, Peltier reported that there are three vendors and they will be doing demos for each of them during the coming weeks. Any supervisors who would like to attend the demonstrations are welcome.

With regard to the Aerodyne Communications Lease mentioned earlier, Peltier is currently working with Corporation Counsel to see what can be done with the Lease as it looks like Aerodyne is on the hook for the full five years of the Lease. Peltier will keep the Committee advised in this regard.

Peltier also reported on the radio issues with the City of Green Bay. He indicated that he has done some research with regard to the initial sites and noted that all towers on the initial sites in the RFP with the exception of the Hobart site that was moved to Oneida.

From reviewing past minutes, Peltier ascertained that there was \$2.5 million dollars requested for secondary bonding for contingency funds, and this was discussed at the County Board meeting and it was actually bonded for \$1 so the project could continue. Peltier continued that Green Bay has been sending logs of radio complaints and in December, 2014 they had 15 logged complaints for various reasons. Five of those 15 complaints were for in-building coverage at several hospitals and other areas that typically do not have good coverage. Other locations were all over the board and ranged from the far east side at Humboldt to the far west side at Oakwood and Lombardi and several other places in between. These logs were compared with the system busy reports that were run and Peltier noted that there was one day in December that there were a number of system busies and that was on December 8 during a Packer game, however, none of the dates referred to above matched up to that date. There were some busies matched up to some of the other dates and that was due to bad weather. In total there were 36 system busies in December which is a lot in comparison to past numbers, but Peltier noted that that was out of over 1 million transmissions. Busies are relatively low and occur for a split second when an attempt is made to get into the system, but if tried again right away typically there is access to the system.

Peltier went on that he will continue to work with the Green Bay Police Department to gather data and will start mapping these incidences in comparison to where the tower sites are. At this point, he did not feel that he had sufficient data to establish any patterns because the information he has now is not showing any specific patterns. He felt that a few more months' of data may help show some patterns and then the issues can be determined. Peltier continued that as he mentioned previously, the initial report he received back from Motorola in response to data they had been sent was that most of the complaints were attributed to training and operating error. Peltier will continue to bring forth data and look for patterns and keep the Committee advised.

**Motion made by Supervisor La Violette, seconded by Supervisor Zima to receive and place on file.
Vote taken. MOTION CARRIED UNANIMOUSLY**

Sheriff

4. Budget Status Financial Report for November, 2014.

Sheriff Gossage indicated that the Sheriff's Department is tracking about \$700,000 under budget for 2014 and he noted that 2015 may bring some interesting challenges. Sheriff's Department Accountant Don Hein stated that as noted in the budget status financial report the excess is due to the good year they had in the Jail with regard to juveniles and federal inmates and this has been making up for some of the shortfalls in other areas.

Supervisor Clancy inquired if some of the excess funds referenced above could be used to add a patrol in the outlying areas. Gossage responded that they are putting on three. He has contracted with Lock and Load for local court transports and that along with the savings with the contracted services with Aramark Foods will provide funds to put three deputies out on the road. This started on January 1, 2015. Clancy also inquired about excess funds that would be available due to the low gas prices. Gossage responded that the offset to this may be paying for increased heating bills due to the cold weather.

Motion made by Supervisor La Violette, seconded by Supervisor Clancy to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

5. Sheriff's Report.

Sheriff Gossage reported that he has looked into temperature settings in the pods at the Jail and learned that the temperatures are controlled by Facilities and there are no DOC standards that need to be complied with. Gossage will be looking at creative ways to save on utility costs.

Gossage continued that currently the Jail is at about 93% capacity, but he explained that historically population spikes at the beginning of the year as the judges start sentencing people to walk into the facility after the holidays. He noted that last year they peaked and plateaued and the population never came down until October. Gossage also stated that there are about 70 people out on the EMP program and that could be increased without compromising public safety. Gossage also noted that recently there was a death of an EMP inmate but this inmate had some medical issues and those medical issues were the cause of her death.

Gossage continued that they have nine vacancies in their civilian positions at this time and he explained to County Executive Troy Streckenbach that they are at about a 10% attrition rate where they are falling short due to the loss of protective status. As discussed earlier at this Committee as well as at County Board, Gossage's concern is that people will be vacating these positions because they lost a crucial benefit. Gossage will continue to fight in Madison and go to bat for the employees as he feels that the protective status is important. He also stated that there are four vacancies for sworn officers but they do have pools of applications and they will continue to maintain their hiring standards.

Supervisor Zima recalled that the only person who supported the protective status was Senator Dave Hansen, but many others in the meeting were belligerent towards this. He felt that the republicans treated the Board very poorly and noted the Board was unanimously in support of this. Zima continued that those that were hostile are in complete control and he asked Gossage what he felt the realistic chances are of this being changed. Gossage responded that he sits on the executive board of the Badger State Sheriff's Association and they met with the Governor's office regarding initiatives that they would be lobbying for in the next biennium. One of these issues was the issue of allowing counties to designate whether or not protective status for their corrections would be feasible. He agreed with Zima in that there is no fiscal impact to the State and the counties should be allowed to make the choices. Gossage recalled a resolution passed by the County Board which he truly appreciates the support of. He noted that his staff is about 80 – 90% of his budget and if those people are not treated with the respect and dignity they deserve Gossage felt there was a good chance they would lose them. He noted that they hired 16 corrections staff last year and the cost to train each of these officers is \$20,000 - \$30,000. Zima felt that there had been a good relationship going but it has now turned into an albatross. Gossage agreed and stated that he was disheartened and discouraged with the meeting they had with the legislators. Buckley felt that it may be appropriate to invite these legislators back to the February meeting to update the Committee.

Gossage continued that when this originally went through in session and was chaired by Assemblyman Bies, it was cut down at a local committee because somebody did not agree with it and it was then transferred to the retirement committee who never heard it. Senator Hansen then took it on at the very last minute but it never got into session. Gossage's goal is to talk to Senator Hansen to see if he would champion this and then get some bipartisan support. Zima stated that there also needs to be a champion on the other side of the aisle and Gossage agreed. Zima did not want to see officers be trained and then leave for better jobs elsewhere.

Zima asked why there is such resistance to this matter. Gossage did not have all of the answers but will continue to look for someone to champion this program. He stated that he will be meeting with legislators, assemblymen and senators in February and this will definitely be high on his list of priorities. Zima felt that the pecking order of any business is when the wages go lower, the employer has to either accept a person who is more desperate to take the job or just people who are of lesser quality. Zima hoped to find some balance and felt that working in the Jail is almost as dangerous as an officer working out on the street. Gossage agreed with Zima and stated that they continue to do a lot of training for corrections staff to help ensure their safety and he refuses to lower the standard of hiring to get a lesser quality of applicant. He assured the Committee that he will continue to maintain the strict standards of hiring.

Clancy asked if figures would be available from Human Resources as to what it costs Brown County and if the County is picking up the costs why shouldn't the County have the ability to pare the costs down by keeping quality people. Gossage reiterated that it costs a minimum of \$20,000 to train someone new as they go through 10 weeks of training and backfill has to be figured into this. It also depends on the time of year that they are being trained. Every person that is trained has to work with another trained officer which takes the trained officer off of some of their duties which they then have to backfill in. This was all brought to the attention of the County Executive and Administration to let them know that if protective status was taken away there would be an adverse effect. Gossage continued that there is about a 10% turnover rate. Zima asked if there was a separate budget for training and Gossage indicated that he did not believe it was separated out and is currently now lumped into wages. Zima felt if the training costs were separated out and were highly identifiable the County Board would take notice. Gossage stated that the cost of training also depends on the time of year, such as when staffing levels are less during the summer months due to vacations and lower staffing levels. Zima asked what the percentage of people is that do not make it through the training and Gossage stated that about 95% are successful.

Supervisor La Violette felt that it would be a good idea to try to determine who would be the best person to make this case to among the republican legislators and then have a one-on-one meeting. Gossage stated that he would like to speak to Assemblyman Nygren as he felt he may be one of the driving forces, however, it seemed he has not been as receptive to this as Gossage hoped he would be.

Gossage continued that there is also a disability component to this and corrections staff is concerned that if they would be injured or disabled in the line of duty, which could very easily happen in corrections, there is no coverage under the ETF. If there is not protective status and something happens to an officer in the Jail, there are no disability rights under the State.

**Motion made by Supervisor La Violette, seconded by Supervisor Zima to receive and place on file.
Vote taken. MOTION CARRIED UNANIMOUSLY**

**Motion made by Supervisor Zima, seconded by Supervisor La Violette to receive and place on file.
Vote taken. MOTION CARRIED UNANIMOUSLY**

Clerk of Courts

7. Budget Status Financial Report for November, 2014.

Clerk of Courts John Vander Leest and Financial Operations Manager Neil Basten addressed the Committee. The Committee welcomed Vander Leest and congratulated him on his new position.

Vander Leest stated that they will be holding a department-wide meeting with regard to training and they will also have a LEAN event on paternity on the same day. He also noted that there will be two retirements by early March and he will be looking at possible ways to eliminate having to hire replacements for those positions.

Vander Leest stated that he will be staying on top of the budget due to the previous issues that have been brought to the Committee's attention in the past. He has asked employees for ideas for efficiencies and goals for 2015 as well as ways to save money. Judges have been included in these discussions as well.

Vander Leest brought up the ongoing issues with GAL fees and indicated that some counties require full payment for GAL fees before cases get started. Brown County requires only partial payment of GAL fees before the case begins. Vander Leest also stated that indigency waivers are also available in Brown County, although other counties do not do this and this is something he will be looking into as well. Vander Leest continued that the Clerk of Courts office is chasing a lot of money and there are a lot of cases they have never received payment for. These cases typically go to collections, but he felt the whole process still needs to be looked at as other counties are not in the same position. Buckley asked if Vander Leest could gather information to present to the Committee as to how this is handled in other counties. Vander Leest responded that he has sent an e-mail to numerous counties and he will gather information on what other counties are doing that is successful.

Zima asked if the law allows the Court to ask people to make deposits for GAL fees prior to their custody cases beginning. Vander Leest stated that the law allows for this and in most cases the deposits are made but he noted that the Judges are able to decide to set the deposit at a lower amount and the rest paid upon the completion of the case. In that case, if the parties do not pay, the GAL bill goes through the collection process. Zima commented that if people are not made to pay up front, sometimes they do not understand the costs of things and could burden the system more than they need to. Basten stated that indigency waivers contain information that it only waives the initial deposit and not the entire fees and further, that the entire fees are due within 180 days of completion of the work. Zima commented that attorneys do not typically begin cases without retainers being paid and he felt that perhaps this system should also be handled in that way. Vander Leest stated that Oconto County does not do waivers and if a party is not able to pay the upfront cost the case gets put at the bottom of the file and work does not start until GAL deposits are paid. He also noted that Oconto County does not have the same issues Brown County does with regard to GAL fees. Buckley asked Vander Leest to provide more documentation with regard to this and present it to the Committee. Vander Leest noted that the State has a budget of \$150,000 for indigency waivers for GALs but he felt this was exceeded. He noted that there was a case found in Brown County that incurred over \$16,000 in GAL fees, none of which were paid. Buckley would like information as to how other counties are handling their GAL fees and he would also like to know what can legally be done to help alleviate these problems in Brown County.

Zima asked if a case in Brown County can be put to the bottom of the pile if they do not pay the upfront GAL fees. He felt that the right way to handle this is a pay as you go system. Basten stated that this would not be possible given the way the system is currently set up with the Judges and

Commissioners. The rules would have to be revamped and Basten noted that this is the way it is set up in Brown County. Vander Leest commented that there is approximately a half million dollars being chased over the last four years.

La Violette stated that she is not familiar with the GAL procedures and she would like to see a written report prior to the meeting so she can familiarize herself with the procedures and issues. She would also like to see what steps are being taken in Brown County to help alleviate problems. Vander Leest stated that he will get a sampling of what processes are being used by other counties for GAL fees and will also provide what the legal process is by State law. Buckley informed Vander Leest to keep Judge Atkinson aware of what is being done so he is in the loop. Vander Leest continued that some steps in the process have been tightened up as far as the billing process is concerned and he will make sure that those policies are being enforced and a more aggressive stance will be taken.

Basten stated that the person in charge of paying the GAL bills also keeps track of things as far as if the procedures are being followed. Buckley asked who sets the rate as to what GALs are being paid and Basten responded that the current rate was set by the Judges a number of years ago at \$70 per hour and this was approved by the County Board.

Zima felt that this problem was solvable if there is a will. He would not have any problem bringing the judges to the hot seat if they are being lax. He felt that this is the type of issue that makes things go backwards. He felt that if it was possible to put cases where people are not paying up front at the bottom of the pile that seemed like a good system to him.

Basten stated that Judge Atkinson is aware of this and is now on family rotation and he is hoping to see more improvements on this based on his knowledge. Buckley asked Vander Leest and Basten to find out who approves the waiver system and whether it is a policy set by the Judges or if the County Board would be able to set a policy. Basten will look into this and keep the Committee updated.

Motion made by Supervisor La Violette, seconded by Supervisor Zima to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Medical Examiner

8. 2014 Brown County Medical Examiner Activity Spreadsheet.

Chief Deputy Medical Examiner Jeff Jansen addressed the Committee and indicated that 1,018 cases were handled in the Medical Examiner's office this year which is less than the figures for 2013. He continued that autopsies increased by 14 over the previous year and external examinations were reduced by three. The case load is remaining constant and they have been increasing autopsies as needed.

Jansen continued that external examinations are examinations where there may be a suicide and a note was left and a bottle of pills was taken. These do not typically require an autopsy but they do an external examination which includes a viewing of the body, documentation, photographs and blood and urine draws which are sent to toxicology for determination of the probable cause of death which is then included on the death certificate.

Zima asked Jansen what the requirements are for someone to work in the Medical Examiner's office. Jansen responded that for an investigator they like to see a medical or law enforcement background. The medical background would provide experience at investigating and diagnosing as well as looking at terminology and the illness to allow a rough determination as to if a person died of natural or unnatural causes. After that, the investigator contacts Jansen and he makes a secondary

determination as to whether there needs to be further investigation and if there does, the pathologist is contacted.

Jansen continued that employees are sent to St. Louis Medical School for a short intensive course on medical legal death investigation and over the years these employees also attend conferences and seminars. He also noted that numerous staff members are certified by the American Board of Medicolegal Death Investigators as Diplomats. This involves a certification process including a proctored test which is taken in sections. Currently there are four in Brown County that have this certification. They have held off sending anyone else through the program because the State Association is currently trying to get past educational requirements but include them right in the Statute instead. This is being held up politically but once this is settled there will be monies available to get these people certified. As of right now, the individuals and the Counties are paying the bills to get these certifications. At this time, there are two staff members that are not certified. Zima asked what the educational background of these individuals is. Jansen responded that one is a social worker that has been to basic medical legal training given by the State Association. This training consists of roughly 34 hours spread out over two sessions during the year. Topics covered include initial death investigation, infant death investigation, record keeping and documentation as well as determining the cause of death and whether it is natural or unnatural and also working with law enforcement. One training session per year is required after the first year. Jansen also stated that the Medical Examiner's office provides 30 days of training with investigators in the field.

Zima asked Jansen how confident he was that this training is sufficient because he did not feel that this was a great amount of training. Jansen stated he would like to expand the hiring practices in the future to set some better parameters. Zima felt that this is an area that cannot be neglected and he felt that the Medical Examiner's office has been going downhill for quite some time, but noted that this is not a reflection on Jansen at all, however, now that this is being probed a little bit, Zima is not impressed by the training. He felt that people in the Medical Examiner's office should have as much expertise as possible, especially if there is a crime involved.

Zima asked Jansen if there were any turnover problems in the office and Jansen responded that most deputies have been in the office for 15+ years. He also stated that they have education ranging from associate degrees to bachelor's degrees in various areas and all but one in the office have been paramedics long-term which means that they have had training in anatomy and physiology, medications, pharmacology and injury patterns. Jansen stated he would be happy to put together a presentation for the Committee if they desired. Zima reiterated that he is just looking to find out what the educational background of the current staff is and asked Jansen if there were areas for improvement. Jansen responded that the only thing that may improve what they have now would be to hire all forensic nurses or forensic physician assistants, but he noted that those are bachelor degree programs that are specifically designed for investigators and there are few of them nationwide and typically they are located in much larger cities.

Zima felt that perhaps it would be beneficial to work with the education system to put more emphasis in these areas and noted that NWTC is always looking at what the industry needs. Jansen stated that educational requirements are part of the Statute they are looking at that he spoke of earlier. Zima stated that there are all sorts of programs on tv about forensics that people watch and many people seem interested in them. Zima felt that if this is cultivated there would be an interest among young people to get into forensic pathology and he thinks it is an extremely interesting area. Jansen stated that one of his ultimate goals is to get people better educated to do a better job. He is trying to do more supervision, more education and more resources, but it is all a slow process. Zima stated he wanted to give Jansen full freedom to make whatever improvements he felt were good necessary and Jansen responded that he will do that. He stated he will not compromise the integrity of the office for any reason and if one person or two people or three people are saying that his office

is not running properly, he will listen to complaints and try to correct them, but he will also take into consideration the opinions of all users.

**Motion made by Supervisor La Violette, seconded by Supervisor Clancy to receive and place on file.
Vote taken. MOTION CARRIED UNANIMOUSLY**

Emergency Management, District Attorney – No agenda items.

Other

9. Audit of bills.

No bills presented; no action taken.

10. Such other matters as authorized by law. None.

11. Adjourn.

**Motion made by Supervisor La Violette, seconded by Supervisor Clancy to adjourn at 12:01 p.m.
Vote taken. MOTION CARRIED UNANIMOUSLY**

Respectfully submitted,

Therese Giannunzio
Recording Secretary